

Attorney Docket No. 030231

REMARKS

Claims 1-24 and 30-33 are pending in the present application, of which claims 1, 6, 11, 16, 21, 23, 30 and 32 are independent. Claims 30-33 have been cancelled. After entry of the above amendments, claims 1-24 are pending in the present application, of which claims 1, 6, 11, 16, 21 and 23 are independent. Applicants believe that the present application is in condition for allowance, which prompt and favorable action is respectfully requested.

I. OBJECTIONS AND REJECTION UNDER 35 U.S.C. §102

The Examiner objected to claim 30 and rejected claims 30-33 under 35 U.S.C. §102(b) as being allegedly anticipated by U.S. Patent No. 6,006,109 issued to Shin (hereinafter "Shin"). Applicants submit that the objection and rejection are moot since claims 30-33 have been cancelled.

II. REJECTION UNDER 35 U.S.C. §103

The Examiner rejected claims 1-24, now pending, under 35 U.S.C. §102(b) as being allegedly anticipated by Shin (hereinafter "Shin") in view of U.S. Patent No. 5,873,045 issued to Lee et. al. (hereinafter "Lee"). The rejection is respectfully traversed in its entirety.

To establish a prima facie case of obviousness for a claimed invention, all the claim elements must be taught or suggested by the prior art. (MPEP 2143.03)

Shin discusses a conventional wireless data communication in which a portable phone is used by a portable computer to transmit and receive data wirelessly. As shown in Figures 3-5, Shin teaches an interface unit 200 allows the portable computer to communicate with the portable phone through the microphone/headphone jack (col. 3, lines 31-55). Therefore, the

portable phone is essentially a conduit that wirelessly forwards data to and from the portable computer to another device.

In the rejection, the Examiner admitted that Shin fails to disclose or suggest a first device being one of a mobile phone, a personal assistant or a smart phone, but relied upon Lee to allegedly cure this deficiency. Particularly, the Examiner states that Lee discloses two devices communicating modulated information wherein one device is a PDA and the other is a phone.

Upon review of the portion cited by the Examiner, Applicants submit that Lee does not disclose PDA. Lee teaches a mobile client system in which a tripartite organization is used to facilitate adaptation of the system to different wireless communication technology (col. 3, lines 18-26). Particularly, Lee teaches a tripartite organization comprising a system tablet 11, a holster 12 and a radio transceiver 12. Lee also teaches that the transceiver may be a cellular telephone (col. 4, lines 20-41). Accordingly, Lee discloses a mobile client system having a cellular telephone and a tablet that allows the system to adapt to different radio transceivers (col. 4, lines 59-62). It does not disclose or even mention a PDA.

Therefore, Applicants respectfully submit that neither Shin nor Lee, separately or combined, teach or suggest the claimed subject matter.

Assuming, for purposes of argument, that Lee discloses a PDA and that a personal computer disclosed in Shin is equivalent to the PDA allegedly disclosed in Lee, there is no reason why a person skilled in the art would be motivated to combine the features of the cited references as suggested by the Examiner. More particularly, one of skilled in the art might be motivated to implement a mobile client system as taught by Lee in place of the cellular phone 500 of Shin in order to facilitate adaptation of the system to different wireless communication technology. However, such combination does not disclose or teach communication of digital data between two devices wherein the first device is one of a mobile phone, a personal digital

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assistant or a smart phone and wherein the second device is one of a mobile phone, a personal digital assistant or a smart phone as in the independent claims.

Therefore, Applicants respectfully submit that the Examiner has failed to set forth a prima facie case of obviousness and respectfully requests that the rejections of independent claims 1, 6, 11, 16, 21 and 23 be withdrawn.

Also, claims 2-5, 7-10, 12-15, 17-20, 22 and 24 depend from and include all the elements cited in the independent claims 1, 6, 11, 16, 21 and 23, respectively. Accordingly, Applicant submits that these claims are believed to be allowable based on their dependency from an allowable base claim as well as other novel features included therein.

For at least the foregoing reasons, Applicants respectfully request a withdrawal of the rejection under 35 U.S.C. §103.

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CONCLUSION

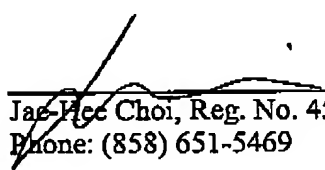
In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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By: _____


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